

April 4, 1975

SENATOR CAVANAUGH: Why don't they fall into the normal public property statutes that provides that any agency may sell or acquire property under the conditions that are set out in the statute.

SENATOR KENNEDY: Because the statute does not give them that permission and that is why this is asked and it is clarified very clearly here that only that property which a building is being constructed on.

SENATOR CAVANAUGH: The portion of this that disturbs me is that there is no requirement for public notice or public hearing prior to acquisition or sale, which is the language or requirement that is contained in the normal...the general statute for relating to public properties. Why do you exempt that from this statute? Here you give the Tech College board more power than any other state board or agency.

SENATOR KENNEDY: Only for this particular instance to sell a building that is constructed as class room work.

SENATOR CAVANAUGH: Well Senator Kennedy, this bill doesn't pertain...it pertains to all properties of tech colleges doesn't it?

SENATOR KENNEDY: NO, no, if you will read the amendment this is where I have asked for the amendment to be put on that it only takes just those buildings that are constructed as a class room process. Any other buildings as you are stating shall be done as you are stating, but only in this instance. That amendment does take care of that.

SENATOR CAVANAUGH: We are not talking about one building at northeast tech, are we? And...

SENATOR KENNEDY: Any building that is built by a class room.

SENATOR CAVANAUGH: Right, and you don't feel that the public should have notice or an opportunity to respond in those cases?

SENATOR KENNEDY: I wouldn't object and I'm sure that they are notified, this was published and notified for sale before the legal point was found out that they couldn't sell it. I'm sure that they will be notified.

SENATOR CAVANAUGH: OK, I still don't understand why they couldn't sell it?

SENATOR KENNEDY: Because in the attorneys opinion, and they checked back with the state, the attorney's opinion was that they could not sell it without permission through the legislature.

SENATOR CAVANAUGH: Who was the Attorney?

SENATOR KENNEDY: The Attorney General's office ruled on it finally.